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# Industrial Worker

AN INJURY TO ONE IS AN INJURY TO ALL

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## BILLINGS TO BE HEARD IN COURT

### LATE WIRE

#### DEATH OF FELLOW WORKER JAMES MCINERNEY IS EXPECTED HOURLY

SEATTLE, Aug. 11.—James McInerney, one of the Walla Walla prisoners, who was a victim of the



James McInerney

Montezano trial and who has been confined in the Walla Walla penitentiary for the past twelve years for defending the I. W. W. Hall in Centralia against an attack by an Armistice Day mob in Nov. 1919, is at the point of death. The news came unexpectedly as no previous notice of his illness has been received. The following wire was received this morning:

"Secretary, I. W. W., 312 1/2 Second Ave., Seattle, Wa. 'Fellow Workers: Death of McInerney expected hourly.' 'Bert Bland.'"

This message was received at the moment of going to press. Fuller information will be given in the next issue of the Industrial Worker.

### LOREN ROBERTS TO BE FREED IS LATEST REPORT

Papers Signed and Forwarded to Montezano and It is Expected That Release Will Immediately Follow.

SEATTLE, Wash., Aug. 16.—The order for the release of Loren Roberts, one of the Centralia prisoners who was declared insane at the time of the Montezano trial in 1919, was signed by Judge Campbell of Grays Harbor County immediately after Roberts was declared sane by the Walla Walla court, on July 27. The order was also signed by Prosecutor Wade of the same county. The case originated in Lewis county and thirty days were allowed for appeal by the prosecutor of Lewis county to the Supreme Court. The thirty days were allowed, to elapse without appeal.

Release papers were forwarded to the clerk of the Superior Court at Montezano on August 5. It is expected that Roberts will be released at once but no information has been received at the time of going to press. Attorney Frank P. Christensen of Olympia has charge of the case.

### JOBLESS MEN SWARM THRU OGDEN GATEWAY

OGDEN, Utah.—Unemployed workers numbering 8,200 have been counted going through Ogden on railroad trains in the last eight days. The Ogden law boasted of running out 800.

The police chief ordered a bread and water diet when the hobos refused to go out to work cutting weeds in various parts of the city. When the capitalist can't use us for exploitation in the trenches we are hoboes. I let the lazy hobo cut the weeds; then it won't be done and labor will be hired to do it. Good tactics.—X 821288.

### Los Angeles Secretary

We have received notice that F. W. B. Dodge has resigned as Secretary of the Los Angeles Branch. Maurice Anderson is the new Secretary. In future please address all communications for this Branch to Maurice Anderson, 423 Bryson Bldg., Los Angeles, Calif.

### Passing of the Rubber Tramp

By WILLIAM PATTON



SWENSON

Adown the dusty highway  
The auto-bum comes squeaking.  
His tires are flat and worn to shreds—  
His radiator's leaking.

His Henjetta's old and worn—  
He's filthy as a Turk.  
And at every farmhouse on the road  
He stops and asks for work.

He carries his jungles with him  
And three or four kids to boot,  
His wife and his old granddaddy  
With snuff trickling down his snout:

And it may be true that they do not steal  
As by fortune's hand they are tossed,  
But they sure find a lot of commodities  
That no one has ever lost.

They're a blight on this western wheat belt—  
Like a swarm of locusts they come.  
For as soon as they clatter into town  
The Chamber of Commerce they bum.

The "Sally," the Red Cross and Volunteers  
Must hear their petition, too,  
And the butcher and baker are called upon  
To contribute a rubber bum's stew.

Then they pounce down onto the jungles  
Along the Great Northern tracks,  
And the pots and pans that belong there  
They carry away on their backs.

They only steal when they need a thing  
But they need everything they see,  
And they carry a block and tackle along  
Just in case of emergency.

The kiddies all chew tobacco—  
The old woman smokes a pipe  
And when it's a hundred in the shade  
The family smells overripe.

They're out of chuck and out of luck—  
They'll work for any old wage—  
If you tell them the unions might raise their pay  
They'll fly in a righteous rage:

For they won't join any union—  
They'll pay no dues, by dam,  
For they've heard that the leaders steal the dough  
And take it on the "lam."

But their day will soon be over—  
The price of gum is high.  
There's no work in the country:  
The charity chest is dry.

And people look up their stuff each day,  
When the shadows of night draw near,  
So the rubber tramp must ditch his car—  
Like the mushi farmer, disappear.

And Lizzie goes out to the junk heap  
Where lonely and sad she stands,  
Her master no more roams the country  
To scab on the harvest hands.

## Farmers Fight Organization

### ORGANIZED BANDS OF FARMERS AND BUSINESS MEN RAID WORKERS CAMPS

At Fairmount, S. Dak., Breckenridge, Minn. and Carrington, N. Dak., Cossacks and Mobs Attack Harvest Hands Seeking Work But Organization Gathers Members as a Result.

NEW ROCKFORD, N. D., Aug. 9.—The drive of A. W. I. U. 110 has reached North Dakota and new members are rapidly being lined up.

At Breckenridge, Minnesota, last night, as we passed through, John Farmer was running wild looking for slaves to thrash at \$3.00 for an eleven hour day. In this they were unsuccessful as about 75 per cent of the harvest workers in Breckenridge last night were I. W. W. members. So John Farmer hollered back, and the millions of the law would have run us out of town if we had not been organized and made a stand in the Great Northern railroad yards.

The cossacks in Breckenridge chase the stiffs out of the city park. As a result of the persecution at the hands of the organized bankers and farmers associations, the 110 drive for members has gained 30 per cent or more. Down in Fairmount, South Dakota, where eighteen fellow workers made a stand for a living wage, four carloads of respectable business men and farmers grouped down on the box car where the 110 cats were sleeping and drove them cross country. These cossacks were heavily armed with guns and spears.

At Carrington, North Dakota, all the auto tramps were chased out of the camp grounds, and the light and water turned off. Everywhere throughout the harvest

hilt the harvest slaves are being persecuted, hounded and driven from place by vigilante committees.

Harvest workers, organize for protection for life and bread and the final overthrow of the capitalist system, or you will enter into an era of penance worse than even related in old Mexico. Down with the Communist party, and such free-fruit, talk of a farmers and workers government, of organizing farmer-gal laborer together and other such bunk ideas. Give them the horse laugh, fellow worker.

Wherever the cossacks run the harvest workers out of town they kick over the chuck and break up the jungles. This they did in Fairmont, South Dakota. Well, we

### SALT LAKE DRAG UNDER 'VAG' LAW RELEASES SIX

Number of Unemployed Passing Thru Becomes So Great That Six Arrested Cannot Be Used and Are Allowed to Go.

SALT LAKE CITY, Aug. 6.—Charges against six alleged vagrants were dismissed in police court Tuesday morning on recommendation of Assistant City Attorney William A. Fraser, when they were arraigned before City Judge Daniel Harrington.

The six men were J. L. Tempert, 67; Harvey Scott, 27; L. W. Donnell, 30; I. Gordina, 31; William Reeves, 65, and H. G. Fowell, 22.

Three of the men told the court they had immediate prospects of employment and a fourth said he had been in Salt Lake only five hours when arrested and that he had not been out of employment for five years. The charges were dismissed when Fraser told the court he failed to find evidence of vagrancy in any of the cases.

Expect still more persecution and intolerance in the next several weeks. But that's what we thrive on. So let all unemployed fellow workers head this way. Remember an injury to one is an injury to all.

—Guy B. Ashen.

### WITNESSES APPEAR WHO CLAIM TO HAVE SEEN BOMB THROWN FROM ROOF

Mrs. Jane K. Compton Says That She and Her Husband Saw the Bomb Thrower Cross the Roof. They Reported the Incident But Were Never Called To Testify as Officials Were Too Busy 'Getting' Tom Mooney and Warren Billings.

Special to Industrial Worker

By EMTIE RICE.

SAN FRANCISCO, Aug. 6.—(Wednesday.) Warren K. Billings will be brought from Folsom prison to testify in the hearing of his own case now going on before the state supreme court judges here. This announcement was made at the hearing yesterday by Chief Justice William H. Waste. Judge Waste said Billings would be brought "under heavy guard" and nobody would know the hour or the date of his arrival until he actually appears in the court room.

A visit was made to Billings in prison Monday night by his attorney, Edwin W. McKenzie, and Lieut.-Governor Carnahan, the latter chairman of the state pardon board. What transpired at this midnight interview nobody knows. There are lots of rumors and "reports" about it, but both McKenzie and Carnahan refuse to make a statement.

The seven supreme court judges have developed a disposition to quarrel among themselves during the last two days. They wrangled quite liberally yesterday over questions asked of witnesses, and they had a "run in" or two the previous day. Whatever else may indicate, it shows at least there is a difference of opinion growing up between them.

It should be remembered that the judges, although actually sitting in judgment upon the Billings case, are not sitting in formal court session, but rather informally as the committee or commission. They have deserted "the bench," discarded their robes and have grouped themselves about tables on the "main floor" as attorneys usually do. This explains why questions are asked, answers permitted and arguments flare up that would never be permitted in formal court sessions.

Estelle Smith completed her testimony yesterday, but told nothing new or important. A stenographer and a notary public were called to verify the Smith affidavit, which she issued in 1929 and in which she repudiate her testimony at the 1916 trial. In the present hearing Miss Smith has partially repudiated her repudiation, and the effort of the defense attorneys is to show that she is as unreliable as a witness as MacDonald or Ozman.

Edward M. Nickels, secretary of the Chicago Federation of Labor, was called to tell questions asked of witnesses, and they had a "run in" or two the previous day. Whatever else may indicate, it shows at least there is a difference of opinion growing up between them.

"Edmonton lived in the same place as MacDonald," Nickels testified, "worked at his trade, and finally after four or five weeks he called me in New York, where I was waiting to see his report, and said MacDonald had made a confession that he lied at the trial." It was at this time that MacDonald's 1921 affidavit of retraction was obtained.

With reference to payments of money to MacDonald, Nickels said: "I notified the San Francisco authorities, and then had and the effort of the defense attorneys is to show that she is as unreliable as a witness as MacDonald or Ozman."

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### "PRESIDENT'S COMMISSION TREATED US LIKE A BUNCH OF CROOKS"—CUNHA

Cunha Speaks of President Wilson's Commissioner as a "Fugitive From Justice," Because He Refused To Return to San Francisco Fearing Being Bumped Off By the Gang.

Special to the Industrial Worker

By Emtie Rice.

SAN FRANCISCO, Calif., Aug. 7.—The famous Denmore report of the Department of Labor and President Wilson's Commission consisting of Secretary of Labor Wilson and Prof. Felix Frankfurter of Harvard University and others came in for a roasting at the hands of Ex-Assistant Prosecuting Attorney Cunha in his testimony before the Supreme Court yesterday.

Cunha testified as to the sending of the Commission by President Wilson. He said:

"Their report practically accused the prosecution of framing the Mooney case. \*\*\* They tapped the wires (of District Attorney Fickert's office) to conduct a secret investigation that extended over a period of two or three months. They put the District Attorney on trial."

Later, said Cunha, Denmore, who was a nephew of Secretary of Labor Wilson, "left here, arriving in Seattle, where he declared that such a state of affairs existed in San Francisco that a man had no chance there. He said you could jostle a man off the street and kill him and say he started a fight, and get away with it."

"Denmore treated us like a bunch of crooks," added Cunha.

It was a truthful confession of the U. S. Government's attitude toward the prosecution in San Francisco after having conducted a three months investigation of the Prosecuting Attorney's office, including disclosure of the conversations carried on by District Attorney Fickert.

Yesterday was "prosecution" day at the supreme court hearing here. Edward A. Cunha and James Brennan, former assistant district attorneys in connection with the Mooney and Billings cases, did their "turn" on the witness stand. Cunha started the day by asserting "his belief" that Mooney and Billings are guilty, and that Mooney "should have been hanged."

"I want to produce documents," he said, "that will substantiate my contention that even if there had been no proof" that Mooney and Billings were guilty of planting the bomb, that there was and is proof that they had knowledge of, and aided and abetted in this offense, and were guilty in that way under our code of criminal law.

"I have documentary evidence that will prove that both Mooney and Billings were

(Continued on page 3)



(NOTE.—After this follows the constitution.)

